



Docket No. 56245 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Albert C. LARDO and Robert C. SUSIL

SERIAL NO.: 09/904,182 Group Art Unit: 2859

FILED: July 11, 2001 Examiner: David M. Shay

FOR: APPLICATION OF PHOTOCHEMOTHERAPY FOR THE
TREATMENT OF CARDIAC ARRHYTHMIAS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 18, 2004.

By: Judy Daley
Judy Daley

AMENDMENT TRANSMITTAL
EXAMINING GROUP 3739
RESPONSE TO FINAL OFFICE ACTION
UNDER 37 C.F.R. S116 EXPEDITED PROCEDURE

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is
 a small entity. A statement:
[] is attached.
[] was already filed.
[] other than a small entity.



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Page 2 of 4

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply. (*complete (a) or (b), as applicable*)

(a) [**XX**] Applicant petitions for an extension of time under 37 C.F.R. Section 1.136
(fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[] one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$ 210.00
[] three months	\$ 950.00	\$ 465.00

Fee: \$ **\$210.00**

If an additional extension of time is required, please consider this a petition therefor.
(check and complete the next item, if applicable)

[] An extension for ___ months has already been secured. The fee paid therefor of
\$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) [] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



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 Page 3 of 4

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	O R	Rate	Addit. Fee
			\$9.00	\$		\$18.00	
Independent Claims Remaining After Amendment	Independent Claims Remaining After Amendment		\$42.00	\$		\$84.00	\$
First Presentation of Multiple Dependent Claim+			\$140.00	\$		\$280.00	\$
						Total Addit. Fee	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
- ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) No additional fee for claims is required.

OR

(d) Total additional fee for claims required \$

FEE PAYMENT

5. Attached is a check in the sum of \$ **\$210.00** for the extension fee.
 Charge Account No. 04-1105 the sum of _____ for claims fee.



Attorney Docket No.: 56245 (71699)
U.S. Serial No. 09/904,182
Page 4 of 4

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

If any additional fee for claims is required, charge Account No. 04-1105.

William J. Daley
SIGNATURE OF PRACTITIONER
William J. Daley, Jr.
Reg. No. 35,487
EDWARDS & ANGELL, LLP
P.O. Box 55874

Tel. No. (617) 439-4444

Boston, Massachusetts 02205

May 18, 2004

Customer No. 21874

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APPLICANTS A.C. Lardo, et al. EXAMINER: Shay, D. M.
U.S.S.N.: 09/904,182 GROUP: 3739
FILED: July 11, 2001 Conf. No. 1162
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By: 
Judy Daley

EXAMINING GROUP 3739
RESPONSE TO FINAL OFFICE ACTION
UNDER 37 C.F.R. §116 EXPEDITED PROCEDURE

Sir:

The following is in response to the Final Office Action mailed December 18, 2003, in the above referenced application.

A petition has also been filed herewith requesting a two (2) month extension of time to May 18, 2004, to respond to the above referenced Office Action. Applicant also conditionally petition for a further extension time to provide for the possibility that such a petition is required.

05/21/2004 AWONDAF1 00000105 09904182

210.00 OP

02 FC:2252

Applicant: A.C. Lardo, et al.
U.S.S.N. : 09/904,182
RESPONSE TO FINAL OFFICE ACTION
Page 2 of 20

As indicated below, please charge Deposit Account No. **04-1105** for the required fee.

Please amend the above-identified application as follows:

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 11 of this paper.